

### REMARKS/ARGUMENTS

The Applicants originally submitted Claims 1-20 in the application. In previous responses, the Applicants canceled Claims 9-10 and 18 without prejudice or disclaimer and added Claims 21-23. Additionally, the Applicants amended Claims 1, 7-8, 11-17 and 19-23. In the present response, the Applicants have amended Claims 1, 7, 13 and 17, and have canceled Claims 8 and 21 without prejudice or disclaimer. Support for the amendment can be found in the original specification at paragraphs 20 and 28 and Figures 1-2. The Applicants have not added or canceled any claims in this response. Accordingly, Claims 1-7, 11-17, 19-20 and 22-23 are currently pending in the application.

#### **I. Rejection of Claims 1-4, 11-12, 17 and 19 under 35 U.S.C. §103**

The Examiner has rejected Claims 1-4, 11-12, 17 and 19 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0095500 by Sato, *et al.*, in view of U.S. Patent Application Publication No. 2002/0048459 by Mishio. The Applicants respectfully disagree.

As recognized by the Examiner, Sato provides no teaching or suggestion of automatically configuring a display of a mobile communication device for a particular application based on a detected position of a camera module relative to the main body of the mobile communication device. To cure this deficiency, the Examiner cites Mishio. (*See Examiner's Final Action*, page 2.) As discussed in the interview, however, Mishio also does not teach or suggest the same. Instead, Mishio discloses detecting the turning of a lens of a camera of a portable information terminal and notifying an image control means of the relation between the vertical direction of an image generated by the camera and the vertical direction of the actual image. If needed, the imaging display means processes the image such that the image is inverted on the display means. (*See paragraph 31 and*

Figures 1-2.) The combination of Sato and Mishio, therefore, does not teach or suggest automatically configuring a display (*i.e.*, automatically setting up a display to operate in a particular way) of a mobile communication device for a particular application based on a detected position of a camera module relative to the main body of the mobile communication device.

Accordingly, the cited combination of Sato and Mishio also does not teach or suggest automatically configuring a display of the mobile communication device for *digital photography or video telephony* based on the detected position of the camera module relative to the main body of the mobile communication device as recited in amended independent claims 1 and 17. As such, the cited combination fails to provide a *prima facie* case of obviousness of Claims 1 and 17 and Claims dependent thereon. Claims 1-4, 7-8, 11-13, 17 and 19-20, therefore, are not unpatentable in view of the cited combination. The Applicants, therefore, respectfully request the Examiner to withdraw the §103(a) rejection of Claims 1-4, 11-12, 17 and 19 and allow issuance thereof.

## **II. Rejection of Claims 5-6 under 35 U.S.C. §103**

The Examiner has rejected Claims 5-6 under 35 U.S.C. §103(a) as being unpatentable over Sato in view of Mishio and in further view of U.S. Patent Application Publication No. 2003/0174239 by Sawada. As discussed above, the cited combination of Sato and Mishio does not teach or suggest each limitation of amended independent Claim 1. Sawada has not been cited to cure this deficiency of Sato and Mishio but to teach a camera module that is rotatable about at least two axes of rotation in an exposed position. (*See Examiner's Final Action*, page 5.) The cited combination of Sawada with Sato and Mishio, therefore, does not provide a *prima facie* case of obviousness of amended independent Claim 1 and Claims dependent thereon. Dependent Claims 5-6, therefore, are not

unpatentable in view of the cited combination. The Applicants, therefore, respectfully request the Examiner to withdraw the §103(a) rejection of Claims 5-6 and allow issuance thereof.

### **III. Rejection of Claims 7-8, 13 and 20-22 under 35 U.S.C. §103**

The Examiner has rejected Claims 7-8, 13 and 20-22 under 35 U.S.C. §103(a) as being unpatentable over Sato in view of Mishio and in further view of U.S. Patent No. 6,532,035 to Saari, *et al.* As discussed above regarding independent Claims 1 and 17, the cited combination of Sato and Mishio does not teach or suggest automatically configuring a display of a mobile communication device for digital photography or video telephony based on a detected position of a camera module relative to the main body of the mobile communication device. Saari does not cure this deficiency of Sato and Mishio.

Saari discloses a camera assembly 20 can be rotated to a video conferencing position so the lens 32 can capture the image of a user. The image can then be displayed on the screen 16 of another communication terminal. (*See* column 5, lines 27-35.) Thus, Saari discloses video conferencing but does not teach or suggest automatically configuring a display of a mobile communication device for digital photography or video telephony based on a detected position of a camera module. As such, Saari does not cure the noted deficiencies of Sato and Mishio.

The cited combination of Sato, Mishio and Saari, therefore, does not provide a *prima facie* case of obviousness of amended independent Claims 1 and 17 and Claims dependent thereon. Dependent Claims 7-8, 13 and 20-22, therefore, are not unpatentable in view of the cited combination. The Applicants, therefore, respectfully request the Examiner to withdraw the §103(a) rejection of Claims 7-8, 13 and 20-22 and allow issuance thereof.

**IV. Rejection of Claims 14-15 and 16 under 35 U.S.C. §103**

The Examiner has rejected Claims 14-15 under 35 U.S.C. §103(a) as being unpatentable over Sato in view of Saari and U.S. Patent Application No. 2004/0041911 by Odagiri, *et al.* Additionally, the Examiner has rejected Claim 16 as being unpatentable over Sato in view of Odagiri.

The Examiner recognizes that neither Sato, Saari, or a combination thereof teach or suggests an attaching means that allows a camera module to be wholly detachable from a mobile communication device as recited in independent Claim 14 and 16. To cure this deficiency, the Examiner cites Odagiri. (*See Examiner's Final Action*, page 8.)

Odagiri discloses a digital camera is attachable to a portable information terminal by inserting a plug of the digital camera in the earphone jack of the portable information terminal. (*See* paragraph 147 and Figure 3.) One skilled in the art, however, would not be motivated to combine the teaching of Odagiri with Sato because the attaching means of Odagiri would not allow the camera of Sato to move from a retracted position to an exposed position. On the contrary, the earphone jack and digital camera plug of Odagiri would simply allow the camera unit of Sato to be externally attached to the mobile telephone terminal without the camera unit being moveable from a retracted position to an exposed position. Thus, the teaching of Odagiri frustrates the teaching of Sato. As such, Odagiri and Sato are improperly combined.

Therefore, neither Sato, Saari and Odagiri nor Sato and Odagiri provide a *prima facie* case of obviousness of independent Claims 14 and 16 and Claim 15 which depends on Claim 14. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103 rejection with respect to Claims 14-16 and allow issuance thereof.

**V. Rejection of Claim 23 under 35 U.S.C. §103**

The Examiner has rejected Claim 23 under 35 U.S.C. §103(a) as being unpatentable over Sato in view of Mishio and in further view of U.S. Patent Application Publication No. 2004/0242263 by Nishimoto, *et al.* As discussed above regarding amended Claim 1, the cited combination of Sato and Mishio does not teach or suggest automatically configuring a display of a mobile communication device for digital photography or video telephony based on a detected position of a camera module relative to the main body of the mobile communication device. Nishimoto has not been cited to cure this deficiency of Sato and Mishio but to teach a flash coupled to a camera module. (See Examiner's Final Action, page 9.) The cited combination of Nishimoto with Sato and Mishio, therefore, does not provide a *prima facie* case of obviousness of amended independent Claim 1 and Claims dependent thereon. Dependent Claim 23, therefore, is not unpatentable in view of the cited combination. The Applicants, therefore, respectfully request the Examiner to withdraw the §103(a) rejection of Claim 23 and allow issuance thereof.

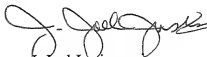
**VI. Conclusion**

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-7, 11-17, 19-20 and 22-23.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

HITT GAINES, PC

A handwritten signature in black ink, appearing to read "J. Joel Justiss", with a stylized flourish at the end.

J. Joel Justiss  
Registration No. 48,981

Dated: February 16, 2007

P.O. Box 832570  
Richardson, Texas 75083  
(972) 480-8800